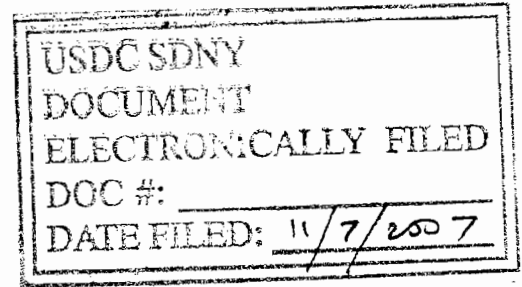


BATTI, S.

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK



-----X
Alumina & Bauxite Company Ltd.,

Plaintiff,

- against -

Oldendorff Carriers GmbH & Co. KG, Mercury
Shipping & Trading Ltd., Dmitry Osipov, Natica
Shipping Ltd., John Does 1-5 (fictitious) and John
Does, Inc. 1-5 (fictitious),

Defendants.
-----X

07 Civ. 9647 (DAB)

ECF CASE

**ORDER PROVIDING FOR THE
RELEASE OF FUNDS AND NOTICE OF DISMISSAL OF ACTION**

WHEREAS, Plaintiff, Alumina & Bauxite Company Ltd. ("Plaintiff") commenced this action with the filing of a Verified Complaint on October 30, 2007, and

WHEREAS, on application of the Plaintiff, Process of Maritime Attachment and Garnishment ("PMAG") was issued on October 30, 2007 pursuant to Supplemental Rule B directing the restraint of assets of Defendants in the amount of \$509,402,591; and

WHEREAS, the PMAG was subsequently served on several banking institutions including American Express Bank, Bank of America, N.A., Bank of New York, Barclay's Bank, Citibank, N.A., Deutsche Bank Trust Co. Americas, Fortis Bank, HSBC Bank USA, N.A., JPMorgan Chase Bank, N.A., La Salle Bank, N.A., Standard Chartered Bank, USB AG, U.S. Bank N.A., Wachovia Bank, N.A. and/or Wells Fargo Bank, N.A.; and

WHEREAS, funds belonging to Defendant Oldendorff Carriers GmbH & Co. KG have been restrained at Bank of America, N.A. pursuant to the subject PMAG; and

WHEREAS, the parties have settled the underlying matter;

WHEREAS, Defendants Mercury Shipping & Trading Ltd., Dmitry Osipov, and Natica Shipping Ltd. have not appeared in this action, served or filed an answer or a motion for summary judgment.

IT IS HEREBY AGREED that all funds restrained pursuant to this action shall be released by any and all garnishee banks, including but not limited to American Express Bank, Bank of America, N.A., Bank of New York, Barclay's Bank, Citibank, N.A., Deutsche Bank Trust Co. Americas, Fortis Bank, HSBC Bank USA, N.A., JPMorgan Chase Bank, N.A., La Salle Bank, N.A., Standard Chartered Bank, USB AG, U.S. Bank N.A., Wachovia Bank, N.A. and/or Wells Fargo Bank, N.A. Funds shall be released in accordance with instructions to be provided separately by Blank Rome LLP, counsel below for Oldendorff Carriers GmbH & Co. KG.

IT IS FURTHER AGREED that this action be dismissed with prejudice and without costs to any party;

NOW THEREFORE, on application of Plaintiff, it is hereby

ORDERED, that all funds restrained pursuant to this action shall be released by any and all garnishee banks, including but not limited to, American Express Bank, Bank of America, N.A., Bank of New York, Barclay's Bank, Citibank, N.A., Deutsche Bank Trust Co. Americas, Fortis Bank, HSBC Bank USA, N.A., JPMorgan Chase Bank, N.A., La Salle Bank, N.A., Standard Chartered Bank, USB AG, U.S. Bank N.A., Wachovia Bank, N.A. and/or Wells Fargo

Bank, N.A. Funds shall be released in accordance with instructions to be provided separately by Blank Rome LLP, counsel below for Oldendorff Carriers GmbH & Co. KG.

IT IS FURTHER ORDERED that this action be dismissed with prejudice and without costs to any party.

Dated: November 5, 2007
New York, New York

The Plaintiff
ALUMINA & BAUXITE COMPANY LTD.

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Defendant
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SO ORDERED:

Deborah A. Batt
U.S.D.J. 11/7/07